UNITED NATIONS

DIVISION FOR PALESTINIAN RIGHTS

May/June 1999

Volume XXII, Bulletin No. 3

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I. UNITED NATIONS INTERNATIONAL MEETING ON THE CONVENING OF THE CONFERENCE ON MEASURES TO ENFORCE THE FOURTH GENEVA CONVENTION IN THE OCCUPIED PALESTINIAN TERRITORY, INCLUDING JERUSALEM, HELD AT CAIRO ON 14 AND 15 JUNE 1999

The United Nations International Meeting on the Convening of the Conference on Measures to Enforce the Fourth Geneva Convention in the Occupied Palestinian Territory was held in Cairo on 14 and 15 June 1999, under the auspices of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, and in accordance with General Assembly resolutions 53/39 and 53/40 of 2 December 1998. The Meeting was convened to heighten public awareness with regard to the forthcoming Conference of the High Contracting Parties to the Fourth Geneva Convention in accordance with General Assembly resolution ES-10/6 of 9 February 1999.

The Committee was represented by a delegation comprising Mr. Ibra Deguène Ka (Senegal), Chairman of the Committee and head of delegation; Mr. Ravan Farhâdi (Afghanistan), Vice-Chairman; Mr. George Saliba (Malta), Rapporteur; Mr. Moctar Ouane (Mali); and Mr. Nasser Al-Kidwa (Palestine).

The meeting was attended by 100 Governments, 11 United Nations bodies and agencies, 5 intergovernmental organizations, 42 non-governmental organizations and a delegation from Palestine.

At the opening session, a statement was made by Mr. Sayd El-Masry, Assistant Foreign Minister for Multilateral Affairs of the Arab Republic of Egypt. A statement on behalf of the Secretary-General of the United Nations was read out by his representative, Mr. Chinmaya Gharekhan, Under-Secretary-General and United Nations Special Coordinator in the Occupied Territories. Statements were made by Mr. Ibra Deguène Ka, Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People; and Mr. Nabil Shaath, Minister for Planning and International Cooperation of the Palestinian Authority.

Three plenary sessions were conducted, with the participation of the following speakers:

I. Violations by Israel, the occupying Power, of the provisions of the Fourth Geneva Convention in the Occupied Palestinian Territory, including Jerusalem: Mr. Taher Shash, Legal Adviser to the Arab Organization for Human Rights and former Under-Secretary for Foreign Affairs of the Arab Republic of Egypt; Mr. Farouk Abu Eissa, Secretary-General of the Arab Lawyers Union, Cairo; Dr. Jordan Paust, Professor of Law, University of Houston, Texas; Mr. Mazin Qupty, Attorney-at-Law, Jerusalem.

II. Enforcement of the Fourth Geneva Convention: Mr. Khader Shkirat, Director of LAW – The Palestinian Society for the Protection of Human Rights and the Environment, Jerusalem; Ms. Miranda Joubert, Advocate, Legal Affairs Division, Department of Foreign Affairs, Pretoria; Mr. David Delparaz, Head of the delegation of the International Committee of the Red Cross (ICRC) in Cairo; Dr. Ali Ibrahim, Professor of International Law, Ein-Shams University, Cairo; Mr. Farouk Garfe Jarufe, Professor of International Law, Catholic University of Valparaiso, Chile; Dr. Hussein A. Hassouna, Permanent Observer of the League of Arab States to the United Nations, New York.

III. The Upcoming Conference of the High Contracting Parties to the Fourth Geneva Convention on Measures to Enforce the Convention, Geneva, 15 July 1999 – Possible outcomes: Dr. Paul Tavernier, Professor, Faculty of Law, University of Paris South (Paris XI), and Director, Research and Studies

Centre for Human Rights and Humanitarian Law (CREDHO); Dr. Ahmed Hassan Al-Rashedi, Professor of International Law, Faculty of Economic and Political Science, Cairo University; Mr. Akh Morshed, Legal Counsel of the Ministry of Foreign Affairs of Bangladesh, Dhaka; Dr. Hilaire McCoubrey, Director of Postgraduate Affairs, Hull University Law School, Hull, United Kingdom; Dr. William A. Schabas, Senior Fellow, United States Institute of Peace, Washington, D.C., and Professor of International Human Rights Law, Quebec University, Montreal.

The final document of the Meeting summarized the proceedings as follows:

Final Document

1. The United Nations International Meeting on the Convening of the Conference on Measures to Enforce the Fourth Geneva Convention in the Occupied Palestinian Territory, including Jerusalem, was held in Cairo on 14 and 15 June 1999, under the auspices of the Committee on the Exercise of the Inalienable Rights of the Palestinian People. Participants in the Meeting included international legal experts as well as representatives of Governments, intergovernmental organizations, United Nations system organizations and agencies, the representative of the International Committee of the Red Cross, the Palestinian Authority, non-governmental organizations and representatives of the media. The Secretary-General of the United Nations sent an official message to the Meeting.

2. The participants emphasized the importance of upholding and enforcing the purposes and principles of the Charter of the United Nations, international humanitarian law and human rights law. Participants stressed the universal character of the Geneva Conventions and the fact that their provisions have been accepted as norms of international customary law. They recalled that 1999 marked the fiftieth anniversary of the signing of the four Geneva Conventions and the centenary of the First Hague Peace Conference. It was, therefore, opportune for the international community to renew its determination to promote international humanitarian law further and to ensure the respect for the Geneva Conventions. The participants also referred to the adoption in Rome in 1998 of the Statute of the International Criminal Court.

3. The participants in the Meeting were unanimous in their view that the Palestinian people was subjected to flagrant violations of its basic human rights, as well as their rights as protected persons under Israeli occupation. They expressed serious concern with regard to grave breaches and violations, by Israel, the occupying Power, of the Fourth Geneva Convention, including arbitrary detention, ill-treatment of and violence against the civilian population, torture, summary execution, confiscation and destruction of property, forcible transfers and deportations, and the various forms of collective punishment, as well as the destruction of economic and social structures of the Occupied Territory. The participants noted that the above violations correspond to all the categories of problems that are contained in the Chairman's report of the Experts' Meeting of October 1998.

4. The participants expressed their utmost concern at the continuing settlement activities, which include illegal land confiscations, transfer of Israeli civilians to the Occupied Palestinian Territory, including Jerusalem, in clear violation of article 49 of the Fourth Geneva Convention. Article 49 states that the occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies. This policy, aimed at expansion and annexation, apart from being illegal, was deemed to be detrimental to the peace process.

5. The participants reaffirmed the existing international consensus on the *de jure* applicability of the Fourth Geneva Convention to the Occupied PalestinianTerritory, including Jerusalem, in accordance with relevant General Assembly and Security Council resolutions. They also called upon Israel, the occupying

Power, to comply fully with the provisions of the Convention. Furthermore, the participants recalled that the Fourth Geneva Convention, as an instrument of international humanitarian law, was applicable, regardless of the national legislation of Israel, which is a High Contracting Party to the Convention.

6. The participants appealed to all the High Contracting Parties to the Fourth Geneva Convention to fulfil their obligations in accordance with common article 1, which requires the High Contracting Parties to respect and to ensure respect for the Convention in all circumstances.

7. The participants strongly supported the convening of the conference on measures to enforce the Convention in the Occupied Palestinian Territory, including Jerusalem, as recommended in General Assembly resolutions ES-10/3, 10/4 and 10/5. They also strongly supported the convening by the High Contracting Parties of the said conference on 15 July 1999 at the United Nations Office at Geneva in accordance with General Assembly resolution ES-10/6, adopted overwhelmingly on 9 February 1999. The report of the Secretary-General of 14 October 1997 demonstrated clearly that the majority of the High Contracting Parties were in favour of the convening of a conference and recent consultations conducted by the depositary also showed that the broad majority supports the convening of the conference on 15 July 1999. The participants called upon all the High Contracting Parties to participate actively in the conference.

8. The participants welcomed the consultations taking place on the preparations for the conference, including those conducted by Switzerland in its capacity as the depositary, and emphasized the need for the widest possible participation in those consultations.

9. The participants called upon the High Contracting Parties to strive for concrete results by the conference to be incorporated in a declaration or a resolution or both. In view of the significance of the matter, they urged the High Contracting Parties to make every effort to reach consensus in the conference and, in the absence of that, they expressed the hope that the decisions would be adopted by a vast majority.

10. The conference should emphasize the responsibility of the High Contracting Parties to ensure respect for the Convention. It should reaffirm, *inter alia*, the *de jure* applicability of the Fourth Geneva Convention in the Occupied Palestinian Territory, including Jerusalem, and, in view of the various Israeli violations of the provisions of the Convention, in particular its illegal settlement policy, call upon the High Contracting Parties to live up to their obligations under the Convention.

11. The participants expressed their hope that the High Contracting Parties would be in a position to take, individually or collectively, the measures they deem appropriate to ensure respect of the Convention.

12. The participants called upon the High Contracting Parties participating in the conference to establish a follow-up mechanism. This could take the form of a committee, possibly under the leadership of the depositary of the Fourth Geneva Convention, with the participation of the International Committee of the Red Cross, to ensure the full application of the Convention. The parties directly concerned should be part of that committee and the High Contracting Parties may demand their full cooperation.

II. OFFICE OF THE UNITED NATIONS SPECIAL COORDINATOR IN THE OCCUPIED TERRITORIES (UNSCO) ISSUES REPORT ON ECONOMIC AND SOCIAL CONDITIONS IN THE WEST BANK AND GAZA STRIP

The Office of the United Nations Special Coordinator in the Occupied Territories (UNSCO) issued a report dated 30 April 1999 entitled "The Report on Economic and Social Conditions in the West Bank and Gaza Strip." Below is the executive summary and forecast of that report:

Executive summary

The Office of the United Nations Special Coordinator in the Occupied Territories' Spring 1999 Report on Economic and Social Conditions in the West Bank and Gaza Strip covers developments in 1998 as they compare to 1997. The report presents updated data and information from Palestinian, Israeli and international sources on trends in three main areas: macroeconomics, the labour market and household living levels. The report presents new data on approved investment projects as an indicator of private investment trends.

Looking ahead

WBGS official labour flows to Israeli-controlled areas in the first quarter of 1999 averaged about 47,100 workers on a daily basis, 3.5 per cent higher than during the same period in 1998 and slightly more than the 1998 average as a whole. The slower growth in labour flows may be the result of a recessionary trend in Israel. Commercial truck movements through monitored crossings during first-quarter 1999 were 1.3 per cent below their first-quarter 1998 level. Exported truckloads were 10 per cent below the first-quarter 1998 level, while the number of imported truckloads was 1 per cent higher on a monthly basis. There were no comprehensive closures imposed during first-quarter 1999.

These indicators suggest slower growth for 1999. Moreover, the end of the interim period in May 1999 will raise the level of uncertainty about the near future. This may hinder further progress in private investment, which is sensitive to increased political uncertainty. Continued cooperation among the parties to the social and economic development process in the WBGS - the Palestinian Authority, the Government of Israel, donors, multilateral institutions and NGOs - will be crucial in instilling confidence in the private sector in the coming months and years.

III. ILO DIRECTOR-GENERAL ISSUES REPORT ON THE SITUATION OF WORKERS IN THE OCCUPIED ARAB TERRITORIES

The Director-General of the International Labour Organization submitted his annual report to the 87th session of the International Labour Conference on the situation of workers in the Occupied Arab Territories based on data and information gathered by missions to the Syrian Arab Republic (13 to 16 March 1999) and to Israel and the Occupied Arab Territories (24 April to 1 May 1999). The report includes information on recent developments in the situation of workers, the economy and the labour market, social security, labour legislation and industrial relations, and technical cooperation. (For the full report, see ISBN 92-2-110805-8.)